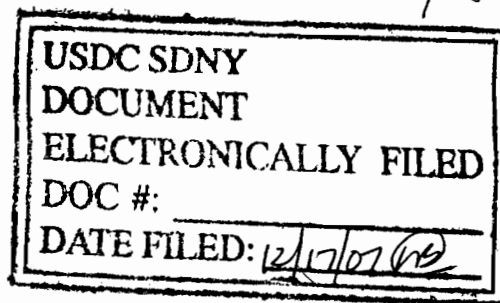


ORIGINAL

Stein, J

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- X  
**CHILDREN'S LIBERATION DAY CARE CENTER, INC.,**  
HOWARD NOURIELI, as Chairperson of Children's  
Liberation Day Care Center, Inc., and AMINATA MARAESA,  
on behalf of the Parents Advisory Committee of the Children's  
Liberation Day Care Center, Inc. and on behalf of the parents  
with children enrolled at the Children's Liberation Day Care  
Center,

Plaintiffs,

-against-

**JOHN B. MATTINGLY**, as Commissioner of the  
Administration for Children's Services of the City of  
New York, the ADMINISTRATION FOR CHILDREN'S  
SERVICES OF THE CITY OF NEW YORK,

Defendants.  
----- X

07 Civ. 11210 (SHS)

**ORDER TO SHOW CAUSE  
AND STAY**

Upon the annexed copy of the Verified Complaint, sworn to by Howard Nourieli on December 11, 2007; the Affidavit of Elizabeth Acevedo, sworn to on December 12, 2007; the Affirmation of Arthur Z. Schwartz, dated December 13, 2007; the declaration of Stephen Munroe, sworn to on December 13, 2007; the declaration of Aminata Maraesa, sworn to on December 13, 2007; the declaration of Haissel Jackson, sworn to on December 13, 2007; the declaration of Eleanor Bala, sworn to on December 13, 2007; the declaration of Paul Wilson, dated December 13, 2007; the affidavit of Martha Suero-Luna, sworn to on September 11, 2007; the affidavit of Ebony Daman, sworn to on September 12, 2007; the affidavit of Angela M. Guillen, sworn to on September 12, 2007; the affidavit of Laure Sullivan, sworn to on September 12, 2007; the affidavit of Sabine Beckert, sworn to on September 12, 2007; the affidavit of

Deandra Avilez, sworn to on September 12, 2007; the affidavit of Patricia Pulvirenti, sworn to on September 12, 2007; the affidavit of Sandra Brignoni, sworn to on September 12, 2007; the affidavit of Diego Petta, sworn to on September 12, 2007; the affidavit of Evelyn Castellanos, sworn to on September 12, 2007; the affidavit of Angelina Vazquez, sworn to on September 12, 2007; the affidavit of Carmenita Birdsall, sworn to on September 12, 2007; the affidavit of Amanda Sprouse-Sougailé, sworn to on September 12, 2007; the affidavit of Vetia Searcy, sworn to on September 12, 2007; the affidavit of Sameh Elashry, sworn to on September 12, 2007; the affidavit of Kenny Garcia, sworn to on September 12, 2007; the affidavit of Kinga Szlachcic, sworn to on September 12, 2007; the affidavit of Kenyatta Mulet, sworn to on September 12, 2007; the affidavit of Marsha McGregor, sworn to on September 12, 2007; the affidavit of Leoncia A. Manion, sworn to on September 12, 2007; the affidavit of Stephen Munro, sworn to on September 12, 2007; the affidavit of Eman Oreibi, sworn to on September 12, 2007; the affidavit of Gloria Sed, sworn to on September 12, 2007; the affidavit of Margarita Soto, sworn to on September 12, 2007; the affidavit of Derrick Trotman, sworn to on September 12, 2007; the affidavit of Angie Garcia, sworn to on September 12, 2007; the affidavit of Tracy Adair, sworn to on September 12, 2007; the affidavit of Melissa Machado, sworn to on September 12, 2007; the affidavit of Changfeng Shao, sworn to on September 12, 2007; the affidavit of Laetitia Minier, sworn to on September 12, 2007; the affidavit of Mildred Gonzalez, sworn to on September 12, 2007; the affidavit of Yesenia Ruiz, sworn to on September 12, 2007; the affidavit of Oscar Bravo, sworn to on September 12, 2007; the affidavit of Samir Farhat, sworn to on September 12, 2007; the affidavit of Shuping Lu, sworn to on September 12, 2007; the affidavit of Deidra Belcher, sworn to on September 12, 2007; the affidavit of Omar

Gabourel, sworn to on September 12, 2007; the affidavit of Aminata Maraesa, sworn to on September 12, 2007; the affidavit of Anita Velez, sworn to on September 12, 2007; the affidavit of Elvira Ramirez, sworn to on September 12, 2007; the affidavit of Maria Medina, sworn to on September 12, 2007; the affidavit of Beatriz Zureta, sworn to on September 12, 2007; and the affidavit of Elsie Nieves, sworn to on September 12, 2007; and good cause being shown therein, respondents are hereby

ORDERED TO SHOW CAUSE, before this Court in Room 23A, at the United States District Court, located at 500 Pearl Street, New York, New York 10007, on the 27 day of December, 2007, at 12:00 o'clock in the noon of that date, why this Court should not issue an order pursuant to Rule 65 of the Federal Rules of Civil Procedure, pending the determination of this matter, restraining and enjoining respondents, their attorneys, officers, and agents

- a. from terminating the current contract between the Administration for Children's Services and the Children's Liberation Day Care Center to provide child care services;
- b. from commencing any construction work at the building located at 150 First Avenue, New York, New York which would require the long-term relocation of the Children's Liberation Day Care Center;
- c. from taking any action to force the Children's Liberation Day Care Center, Inc. to relocate out of 150 First Avenue for excessively long periods of time;
- d. from refusing to renew the contract between ACS and the Children's Liberation Day Care Center, Inc.; and

e. freezing the enrollment of eligible families in the program offered by the Children's Liberation Day Care Center, Inc.; and it is further

~~ORDERED that pending the hearing and determination of this motion, defendants, their officers, and agents are hereby restrained and enjoined from terminating the current contract between the Administration for Children's Services and the Children's Liberation Day Care center; and it is further~~

ORDERED that respondents shall file and serve their papers, if any, opposing this application, on or before December 21, 2007 at 5:00 p.m.; and it is further

ORDERED that personal service of this ORDER and the papers annexed hereto upon Corporation Counsel of the City of New York, ~~and on the General Counsel for the~~  
~~Administration for Children's Services~~ on or before December 14, 2007 at 5:00 p.m. shall be deemed sufficient; *and it is further*  
*ORDERED that security in the amount of \$* \_\_\_\_\_ *with be*  
*posted by* \_\_\_\_\_  
ENTER:

*[Signature]*  
United States District Judge

*Dec 14 2007 5:52 p.m.*  
Date and Time